

SOUTH CAROLINA LAW ENFORCEMENT DIVISION



**Contact: Kathryn Richardson
Office: (803) 896-7013**

FOR IMMEDIATE RELEASE

May 28, 2004

Two former teachers at Edisto Elementary School in Orangeburg, S.C. have been arrested by SLED agents and charged with **Violation of Mandatory Test Security**.

Timothy Cox, 48, of Orangeburg, S.C., was arrested around 10:00 a.m. on Wednesday, May 19, 2004 and booked at the Orangeburg County Detention Center. The case will be prosecuted by the First Circuit Solicitor's Office.

Jane Davis-Tindal, 46, of Orangeburg, S.C., was arrested around 9:00 a.m. on Tuesday, May 25, 2004 and booked at the Orangeburg County Detention Center. The case will be prosecuted by the First Circuit Solicitor's Office.

Warrants and Affidavits attached.

ARREST WARRANT

H-658153

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of
 ORANGEBURG COUNTY

 THE STATE OCA#31030112
 against

TIMOTHY MARION COX

Address: SC 29115

Phone: SSN: 230

Sex: M Race: W Height: 6 Weight: 230

DL State: 7720785 Agency ORI#:

Prosecuting Agency: S/A MICHELE CHINA

Prosecuting Office: EDUCATION/MANDATORY

Offense: VIOLATION

Offense Code: 2258

Code/Ordinance Sec: 2258

 This warrant is CERTIFIED FOR SERVICE in the
☐ County/ ☐ Municipality of

 The accused
 is to be arrested and brought before me to be
 dealt with according to law.

Signature of Judge

(L.S.)

Date:

RETURN

 A copy of this arrest warrant was delivered to
 defendant

on

Signature of Constable/Law Enforcement Officer

 RETURN WARRANT TO:
 ORANGEBURG MAGISTRATES 1 DAVIS
 P.O. BOX 9000
 ORANGEBURG SC 29116

 STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
 ORANGEBURG COUNTY

AFFIDAVIT

 Personally appeared before me the affiant S/A MICHELE CHINA who
 being duly sworn deposes and says that defendant TIMOTHY MARION COX
 did within this county and state on 4/28/03 violate the criminal laws of the
 State of South Carolina for ordinance of ☐ County/ ☐ Municipality of
 in the following particulars:

DESCRIPTION OF OFFENSE: EDUCATION/MANDATORY TEST VIOLATION

59-1-445(1)(B)(F)

 I further state that there is probable cause to believe that the defendant named above did commit
 the crime set forth and that probable cause is based on the following facts:

"SEE AFFIDAVIT ATTACHED"

Signature of Affiant

 STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
 ORANGEBURG COUNTY

 Affiant's Address: 3290 RIVERS HAVENUE
 CHARLESTON SC
 29403-554-7396
 Affiant's Telephone:

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

 It appearing from the above affidavit that there are reasonable grounds to believe that
 on 4/28/03 defendant TIMOTHY MARION COX
 did violate the criminal laws of the State of South Carolina (for ordinance of

☐ County/ ☐ Municipality of

 EDUCATION/MANDATORY TEST as set forth below:
 DESCRIPTION OF OFFENSE:

59-1-445(1)(B)(F)

 Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said
 defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to
 the defendant at the time of its execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me

 Signature of Issuing Judge
 Judge Code: 22

 Judge's Address: P.O. BOX 9000
 ORANGEBURG SC 29116

Judge's Telephone: 803-533-5843

 Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

STATE OF SOUTH CAROLINA**AFFIDAVIT****COUNTY OF ORANGEBURG**
CITY OF Orangeburg**OCA# 31030112****Special Agent Michele D. China**

Personally appeared before me, a magistrate of this County, one
who first being duly sworn, deposes and says that;

Timothy Marion Cox

White, Male, Hgt. 602, Wgt. 230, DOB: 7-20-55, SSN: [REDACTED], SC Cert.#147675

LKA: [REDACTED], Orangeburg, SC 29115

did within this County and State on or about the 28th day of **APRIL**, 2003,
violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE**Education/ Mandatory Test Security Violation**
VIOLATION OF SECTION 59-1-445(1)(b)(f)

The affiant states there is probable cause to believe that the defendant named above did
commit the crime(s) set forth, and that such probable cause is based on the following facts:

While employed as a teacher at Edisto Elementary School, and working approximately between 7:00pm on April 28th to 7:00am on the 29th of April, 2003, at Edisto Elementary School which is located in the City of Orangeburg, County of Orangeburg and State of South Carolina the aforesaid, one **Timothy Marion Cox**, did commit the offense of *Violation of Mandatory Test Security*, in violation of section 59-1-445(1)(b)(f) of the South Carolina Code of Laws of 1976, as amended, offense code 2258. In that the defendant did knowingly and willfully violate security procedures and regulations with regard to the administration of the PACT-ALT Testing procedures established by the State of South Carolina and set forth by the SC State Board of Education. That the defendant did knowingly and willfully copy, reproduce, and submitted student evaluations (portfolios) in a manner inconsistent with the guidelines regarding the PACT-ALT Test. That the defendant did participate in, direct, aid, assist in, encourage, and did fail to report any of the acts prohibited in this section. Facts to establish the aforesaid are that the defendant did copy student evaluations(portfolios) and submitted the documents to the SC State Board of Education for assessment as if accurate documentation regarding individual students in his class. The defendant did knowingly and unlawfully allow and assist Jane Davis-Tindall(teacher at Edisto Elementary) to copy the inaccurate portfolio information which was subsequently submitted to the SC State Board of Education for assessment as if the documentation was an accurate evaluation of students in Tindall's class. Susan Swaffield, SC State Board of Education, Office of Assessment, Sandra Tonnsen, Superintendent, District #4, Cope, SC, and Tonya-Lee Infinger, District #4 Coordinator for Special Services, Cope, SC are witnesses to prove the same. All against the peace and dignity of the State of South Carolina.

Affidavit 31030112
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Sworn to and Subscribed before me
this 7 day of May 2004.
9:45Am

Ronald D. Davis
Signature of Judge

Liam Chen
(AFFIANT)

Address: 5290 River Ave, #201

N. Chas. DC 29405

Phone: 843-554-7396

ARREST WARRANT

H-658154

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of
ORANGEBURG COUNTY

THE STATE OCA#31030112
against

JANE DAVIS-TINDAL

Address: ORANGEBURG SC 29115

Phone: Race: W Height: 5 SSN: Weight: 180

DL State: 2722788 Agency ORI#:

Prosecuting Agency: S/TA MICHELE CHINA

Offense: EDUCATION/MANDATORY

Code/Ordinance Sec: 2235B Offense Code: 2235B

This warrant is CERTIFIED FOR SERVICE in the
☐ County/ ☐ Municipality of The accused

is to be arrested and brought before me to be
dealt with according to law.

Signature of Judge (L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to
defendant JANE DAVIS-TINDAL

on

Signature of Constable/Law Enforcement Officer

BEJAN WARRANT MAGISTRATES 1 DAVIS
P.O. BOX 9000
ORANGEBURG SC 29116

STATE OF SOUTH CAROLINA

☒ County ☐ Municipality of
ORANGEBURG COUNTY

AFFIDAVIT

Personally appeared before me the affiant S/A MICHELE CHINA who

being duly sworn deposes and says that defendant JANE DAVIS-TINDAL
did within this county and state on 4/28/03 violate the criminal laws of the

State of South Carolina (or ordinance of ☐ County/ ☐ Municipality of)
in the following particulars: EDUCATION/MANDATORY TEST VIOLATION
DESCRIPTION OF OFFENSE: 59-1-445(1)(B)(F)

I further state that there is probable cause to believe that the defendant named above did commit
the crime set forth and that probable cause is based on the following facts:

"SEE AFFIDAVIT ATTACHED"

Signature of Affiant

STATE OF SOUTH CAROLINA
☒ County ☐ Municipality of
ORANGEBURG COUNTY

Affiant's Address: 2290 RIVERS AVENUE
ORANGEBURG SC
Affiant's Telephone: 843-554-7396

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that
on 4/28/03 defendant JANE DAVIS-TINDAL

did violate the criminal laws of the State of South Carolina (or ordinance of) as set forth below:
☐ County/ ☐ Municipality of
DESCRIPTION OF OFFENSE: EDUCATION/MANDATORY TEST VIOLATION
59-1-445(1)(B)(F)

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said
defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to
the defendant at the time of his execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me

Signature of Issuing Judge

Judge Code: Judge's Address: P.O. BOX 9000
ORANGEBURG SC 29116
Judge's Telephone: 803-555-3845
Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

ORIGINAL

STATE OF SOUTH CAROLINA**AFFIDAVIT****COUNTY OF ORANGEBURG**
CITY OF Orangeburg**OCA# 31030112****Special Agent Michele D. China**

Personally appeared before me, a magistrate of this County, one
who first being duly sworn, deposes and says that;

Jane Davis-Tindal**White, Female, Hgt. 507, Wgt. 180, DOB: 2-22-58, SSN: [REDACTED] SC Cert. #172986****LKA: [REDACTED], Orangeburg, SC 29115**

did within this County and State on or about the 28th day of **APRIL, 2003**,
violate the criminal laws of the State of South Carolina in the following particulars:

DESCRIPTION OF OFFENSE**Education/ Mandatory Test Security Violation**
VIOLATION OF SECTION 59-1-445(1)(b)(f)

The affiant states there is probable cause to believe that the defendant named above did
commit the crime(s) set forth, and that such probable cause is based on the following facts:

While employed as a teacher at Edisto Elementary School, and working approximately between 7:00pm on April 28th to 7:00am on the 29th of April, 2003, at Edisto Elementary School which is located in the City of Orangeburg, County of Orangeburg and State of South Carolina the aforesaid, one **Jane Davis-Tindal**, did commit the offense of **Violation of Mandatory Test Security**, in violation of section 59-1-445(1)(b)(f) of the South Carolina Code of Laws of 1976, as amended, offense code 2258. In that the defendant did knowingly and willfully violate security procedures and regulations with regard to the administration of the PACT-ALT Testing procedures established by the State of South Carolina and set forth by the SC State Board of Education. That the defendant did knowingly and willfully copy, reproduce, and submitted student evaluations (portfolios) in a manner inconsistent with the guidelines regarding the PACT-ALT Test. That the defendant did participate in, direct, aid, assist in, encourage, and did fail to report any of the acts prohibited in this section. Facts to establish the aforesaid are that the defendant did copy student evaluations(portfolios) and submitted the documents to the SC State Board of Education for assessment as if the documentation was accurate regarding individual students in her class. The defendant did knowingly and unlawfully request and obtained portfolio evaluations from Timothy Marion Cox(teacher at Edisto Elementary) and did copy the information which was subsequently submitted by the defendant to the SC State Board of Education for assessment as if the documentation was an accurate evaluation of students in the defendant's class. Susan Swaffield, SC State Board of Education, Office of Assessment, Sandra Tonnsen, Superintendent, District #4, Cope, SC, and Tonya-Lee Infinger, District #4 Coordinator for Special Services, Cope, SC are witnesses to prove the same. All against the peace and dignity of the State of South Carolina.

Affidavit 31030112

Page 2

Sworn to and Subscribed before me
this 7 day of May 2004.
9:45am

Peggy D. Haines
Signature of Judge

Sha M. Chene
(AFFIANT)

Address: 5290 Rivers Ave #201

N. Charleston SC 29405

Phone: 843-554-7396